

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 330
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AUTHORITY: Implementing and authorized by the Nursing Home Care Act [210 ILCS 45].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 807, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 933, effective July 28, 1980; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14547, effective November 8, 1982; amended at 6 Ill. Reg. 14681, effective November 15, 1982; amended at 7 Ill. Reg. 1963, effective January 28, 1983; amended at 7 Ill. Reg. 6973, effective May 17, 1983; amended at 7 Ill. Reg. 15825, effective November 15, 1983; amended at 8 Ill. Reg. 15596, effective August 15, 1984; amended at 8 Ill. Reg. 15941, effective August 17, 1984; codified at 8 Ill. Reg. 19790; amended at 8 Ill. Reg. 24241, effective November 28, 1984; amended at 8 Ill. Reg. 24696, effective December 7, 1984; amended at 9 Ill. Reg. 2952, effective February 25, 1985; amended at 9 Ill. Reg. 10974, effective July 1, 1985; amended at 11 Ill. Reg. 16879, effective October 1, 1987; amended at 12 Ill. Reg. 1017, effective December 24, 1987; amended at 12 Ill. Reg. 16870, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18939, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6562, effective April 17, 1989; amended at 13 Ill. Reg. 19580, effective December 1, 1989; amended at 14 Ill. Reg. 14928, effective October 1, 1990; amended at 15 Ill. Reg. 516, effective January 1, 1991; amended at 16 Ill. Reg. 651, effective January 1, 1992; amended at 16 Ill. Reg. 14370, effective September 3,

1992; emergency amendment at 17 Ill. Reg. 2405, effective February 3, 1993, for a maximum of 150 days; emergency expired on July 3, 1993; emergency amendment at 17 Ill. Reg. 8000, effective May 6, 1993, for a maximum of 150 days; emergency expired on October 3, 1993; amended at 17 Ill. Reg. 15089, effective September 3, 1993; amended at 17 Ill. Reg. 16180, effective January 1, 1994; amended at 17 Ill. Reg. 19258, effective October 26, 1993; amended at 17 Ill. Reg. 19576, effective November 4, 1993; amended at 17 Ill. Reg. 21044, effective November 20, 1993; amended at 18 Ill. Reg. 1475, effective January 14, 1994; amended at 18 Ill. Reg. 15851, effective October 15, 1994; amended at 19 Ill. Reg. 11567, effective July 29, 1995; emergency amendment at 20 Ill. Reg. 552, effective January 1, 1996, for a maximum of 150 days; emergency expired on May 29, 1996; amended at 20 Ill. Reg. 10125, effective July 15, 1996; amended at 20 Ill. Reg. 12160, effective September 10, 1996; amended at 22 Ill. Reg. 4078, effective February 13, 1998; amended at 22 Ill. Reg. 7203, effective April 15, 1998; amended at 22 Ill. Reg. 16594, effective September 18, 1998; amended at 23 Ill. Reg. 1085, effective January 15, 1999; amended at 23 Ill. Reg. 8064, effective July 15, 1999; amended at 24 Ill. Reg. 17304, effective November 1, 2000; amended at 25 Ill. Reg. 4901, effective April 1, 2001; amended at 26 Ill. Reg. 4859, effective April 1, 2002; amended at 26 Ill. Reg. 10559, effective July 1, 2002; emergency amendment at 27 Ill. Reg. 2202, effective February 1, 2003, for a maximum of 150 days; emergency expired June 30, 2003; emergency amendment at 27 Ill. Reg. 5473, effective March 25, 2003, for a maximum of 150 days; emergency expired August 21, 2003; amended at 27 Ill. Reg. 5886, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 14218, effective August 15, 2003, for a maximum of 150 days; emergency expired January 11, 2004; amended at 27 Ill. Reg. 15880, effective September 25, 2003; amended at 27 Ill. Reg. 18130, effective November 15, 2003; expedited correction at 28 Ill. Reg. 3541, effective November 15, 2003; amended at 28 Ill. Reg. 11195, effective July 22, 2004; emergency amendment at 29 Ill. Reg. 11879, effective July 12, 2005, for a maximum of 150 days; emergency rule modified in response to JCAR Recommendation at 29 Ill. Reg. 15156, effective September 23, 2005, for the remainder of the maximum 150 days; emergency amendment expired December 8, 2005; amended at 29 Ill. Reg. 12891, effective August 2, 2005; amended at 30 Ill. Reg. 1439, effective January 23, 2006; amended at 30 Ill. Reg. 5260, effective March 2, 2006; amended at 31 Ill. Reg. 6072, effective April 3, 2007; amended at 31 Ill. Reg. 8828, effective June 6, 2007; amended at 33 Ill. Reg. 9371, effective June 17, 2009; amended at 34 Ill. Reg. 19199, effective November 23, 2010; amended at 35 Ill. Reg. 3415, effective February 14, 2011; amended at 35 Ill. Reg. 11513, effective June 29, 2011; amended at 37 Ill. Reg. 2315, effective February 4, 2013; amended at 37 Ill. Reg. 4970, effective March 29, 2013; amended at 39 Ill. Reg. 5470, effective March 25, 2015; amended at 41 Ill. Reg. 14826, effective November 15, 2017; amended at 43 Ill. Reg. 3551, effective February 28, 2019; emergency amendment at 44 Ill. Reg. 8536, effective May 5, 2020, for a maximum of 150 days; emergency repeal of emergency rule at 44 Ill. Reg. 16279, effective September 15, 2020; emergency amendment at 44 Ill. Reg. 18972, effective November 19, 2020, for a maximum of 150 days; emergency rule expired April 17, 2021; emergency amendment at 45 Ill. Reg. 411, effective December 18, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 2084, effective January 27, 2021, for the remainder of the 150 days; emergency expired May 16, 2021; emergency amendment at 45 Ill. Reg. 5554, effective April 18, 2021; emergency expired

September 14, 2021; emergency amendment at 45 Ill. Reg. 6705, effective May 17, 2021; emergency expired October 13, 2021; emergency amendment at 45 Ill. Reg. 11964, effective September 15, 2021, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 14569, effective November 5, 2021, for the remainder of the 150 days; emergency expired February 11, 2022; emergency amendment at 45 Ill. Reg. 13711, effective October 14, 2021, for a maximum of 150 days; emergency expired March 12, 2022; emergency amendment at 45 Ill. Reg. 14022, effective October 22, 2021, for a maximum of 150 days; emergency expired March 20, 2022; emergency amendment at 46 Ill. Reg. 3266, effective February 12, 2022, for a maximum of 150 days; emergency expired July 11, 2022; emergency amendment at 46 Ill. Reg. 5342, effective March 13, 2022, for a maximum of 150 days; emergency expired August 9, 2022; emergency amendment at 46 Ill. Reg. 5573, effective March 21, 2022, for a maximum of 150 days; amended at 46 Ill. Reg. 10485, effective June 2, 2022; emergency amendment at 46 Ill. Reg. 13401, effective July 15, 2022, for a maximum of 150 days; emergency amendment to emergency rule at 46 Ill. Reg. 16447, effective September 19, 2022, for the remainder of the 150 days; emergency amendment to emergency rule at 46 Ill. Reg. 18243, effective October 31, 2022, for the remainder of the 150 days; emergency expired December 11, 2022; amended at 46 Ill. Reg. 14268, effective July 27, 2022; emergency amendment at 46 Ill. Reg. 20270, effective December 12, 2022, for a maximum of 150 days; amended at 47 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 330.340 Incorporated and Referenced Materials

- a) The following standards and guidelines are incorporated in this Part:
 - 1) For existing facilities (see Subpart O), National Fire Protection Association (NFPA) ~~Standard No. 101 (2012): Life Safety Code Chapter 19, applies to and is part of this Part Appendix B (1981) and Standard No. 70: National Electric Code (1981)~~, which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, ~~MA~~ Massachusetts 01269.
 - A) All appropriate references under NFPA 101 (2012), Chapter 2, Referenced Publications; and
 - B) NFPA 101 A (2013), Guide on Alternative Approaches to Life Safety
 - 2) For new facilities (see Subpart M), NFPA 101 (2012): Life Safety Code, Chapter 18 and all appropriate references under Chapter 2, Referenced Publications, applies to and is part of this Part ~~the following standards of the National Fire Protection Association (NFPA)~~, which may be obtained

from the National Fire Protection Association, 1 Batterymarch Park,
Quincy, ~~MA~~[Massachusetts](#) 01269:

- ~~A) NFPA 17A, Standard for Wet Chemical Extinguishing Systems—2002 Edition~~
- ~~[A](#)B) NFPA 20 [\(2010\)](#), Standard for the Installation of Stationary Pumps for Fire Protection—1999 Edition~~
- ~~[B](#)C) NFPA 22 [\(2008\)](#), Standard for Water Tanks for Private Fire Protection—1998 Edition~~
- ~~D) NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances—2002 Edition~~
- ~~E) NFPA 50, Standard for Bulk Oxygen Systems at Consumer Sites—2001 Edition~~
- ~~F) NFPA 70B, Recommended Practice for Electrical Equipment Maintenance—2002 Edition~~
- ~~G) NFPA 70E, Standard for Electrical Safety Requirements for Employee Workplaces—2000 Edition~~
- ~~H) NFPA 80A, Recommended Practice for Protection of Buildings from Exterior Fire Exposures—2001 Edition~~
- ~~I) NFPA 101, Life Safety Code—2000 Edition~~
- ~~J) NFPA 105, Recommended Practice for the Installation of Smoke-Control Door Assemblies—1999 Edition~~

~~3) For new and existing facilities (see Section 330.1510) NFPA 99: Standard for Health Care Facilities—2002 Edition~~

[34\)](#) The following guidelines [and toolkits](#) of the Center for Infectious Diseases, Centers for Disease Control and Prevention, United States Public Health Service, Department of Health and Human Services may be obtained from the National Technical Information Services (NTIS), [5301 Shawnee Road, Alexandria, VA 22312, info@ntis.gov, or the following Internet addresses](#)~~U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161:~~

- A) Guideline for Hand Hygiene in Health-Care Settings (October 2002), available at:
<https://www.cdc.gov/infectioncontrol/guidelines/hand-hygiene/index.html>
 - B) Guideline for Preventing Healthcare-Associated Pneumonia, 2003 (March 26, 2004), available at:
<https://www.cdc.gov/infectioncontrol/pdf/guidelines/healthcare-associated-pneumonia-H.pdf>~~Guideline for Prevention of Nosocomial Pneumonia (February 1994)~~
 - C) 2007 Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings~~in Hospitals~~ (May 2022~~February 18, 1997~~), available at:
<https://www.cdc.gov/infectioncontrol/pdf/guidelines/isolation-guidelines-H.pdf>
 - D) Infection Control in Healthcare Personnel, available in two parts: Infrastructure and Routine Practices for Occupational Infection Prevention and Control Services (October 25, 2019) and Epidemiology and Control of Selected Infections Transmitted Among Healthcare Personnel and Patients (November 5, 2021), both available at:
<https://www.cdc.gov/infectioncontrol/guidelines/healthcare-personnel/index.html>~~Guidelines for Infection Control in Health Care Personnel (1998)~~
 - E) ~~The following publication may be obtained at the Centers for Disease Control and Prevention website:~~ Toolkit for Controlling Legionella in Common Sources of Exposure (January 13, 2021), available at <https://www.cdc.gov/legionella/downloads/Control-Toolkit-All-Modules.pdf>
- 45) American College of Obstetricians and Gynecologists, Guidelines for Women's Health Care, Fourth Edition~~Third Edition~~ (2014~~2007~~), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, GA~~Georgia~~ 31193-3104 (800-762-2264). (See Section 330.4220.)
- 56) American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE): ASHRAE Guideline 12-2020, "Managing the Risk of Legionellosis Associated with Building Water Systems" (March 30, 2021), which may be obtained from the American Society of Heating,

Refrigerating, and Air Conditioning Engineers, Inc., 1791 Tullie Circle,
N.E., Atlanta, ~~GA-Georgia~~ 30329.

- b) All incorporations by reference of federal guidelines and the standards of nationally recognized organizations refer to the standards on the date specified and do not include any amendments or editions subsequent to the date specified.
- c) The following statutes and State regulations are referenced in this Part:
 - 1) Federal statutes:
 - A) Civil Rights Act of 1964 (42 U.S.C. ~~USE~~2000e et seq.)
 - B) Social Security Act (42 U.S.C.~~USE~~ 301 et seq., ~~1935~~1395 et seq. and ~~1936~~1396 et seq.)
 - C) Controlled Substances Act (~~212~~ U.S.C.~~USE~~ 802)
 - 2) State of Illinois statutes, available at:
<https://ilga.gov/legislation/ilcs/ilcs.asp>
 - A) Substance Use Disorder Act ~~Illinois Alcoholism and Other Drug Dependency Act~~ [20 ILCS ~~301~~305]
 - B) Child Care Act of 1969 [225 ILCS 10]
 - C) Court of Claims Act [705 ILCS 505]
 - D) Illinois Dental Practice Act [225 ILCS 25]
 - E) Election Code [10 ILCS 5]
 - F) Freedom of Information Act [5 ILCS 140]
 - G) General Not For Profit Corporation Act of 1986 [805 ILCS 105]
 - H) Hospital Licensing Act [210 ILCS 85]
 - I) Illinois Health Facilities Planning Act [20 ILCS 3960]
 - J) Illinois Municipal Code [65 ILCS 5]
 - K) Life Care Facilities Act [210 ILCS 40]

- L) Local Governmental and Governmental Employees Tort Immunity Act [745 ILCS 10]
- M) Medical Practice Act of 1987 [225 ILCS 60]
- N) Mental Health and Developmental Disabilities Code [405 ILCS 5]
- O) Nurse Practice Act [225 ILCS 65]
- P) Nursing Home Administrators Licensing and Disciplinary Act [225 ILCS 70]
- Q) Nursing Home Care Act [210 ILCS 45]
- R) Illinois Occupational Therapy Practice Act [225 ILCS 75]
- S) Pharmacy Practice Act [225 ILCS 85]
- T) Illinois Physical Therapy Act [225 ILCS 90]
- U) Private Sewage Disposal Licensing Act [225 ILCS 225]
- V) Probate Act of 1975 [755 ILCS 5]
- W) Illinois Public Aid Code [305 ILCS 5]
- X) Illinois Administrative Procedure Act [5 ILCS 100]
- Y) Clinical Psychologist Licensing Act [225 ILCS 15]
- Z) [Dietitian Nutritionist](#)~~Dietetic and Nutrition Services~~ Practice Act [225 ILCS 30]
- AA) Health Care Worker Background Check Act [225 ILCS 46]
- BB) Clinical Social Work and Social Work Practice Act [225 ILCS 20]
- CC) [Illinois](#) Living Will Act [755 ILCS 35]
- DD) [Illinois Power of Attorney Act](#)~~Powers of Attorney for Health Care Law~~ [755 ILCS 45/Art. IV]

- 560 EE) Health Care Surrogate Act [755 ILCS 40]
- 561
- 562 FF) [Health Care](#) Right of Conscience Act [745 ILCS 70]
- 563
- 564 GG) Abused and Neglected Long-Term Care Facility Residents
- 565 Reporting Act [210 ILCS 30]
- 566
- 567 HH) Supportive Residences Licensing Act [210 ILCS 65]
- 568
- 569 II) [MC/DD Act \[210 ILCS 46\]](#) ~~Community Residential Alternatives~~
- 570 ~~Licensing Act [210 ILCS 140]~~
- 571
- 572 JJ) Community Living Facilities Licensing Act [210 ILCS 35]
- 573
- 574 KK) Community-Integrated Living Arrangements Licensure and
- 575 Certification Act [210 ILCS 135]
- 576
- 577 LL) Counties Code [55 ILCS 5]
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- 579 MM) Alzheimer's [Disease and Related Dementias](#) Special Care
- 580 Disclosure Act [~~210~~220 ILCS 4]
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- 582 NN) [State Fire Marshal Act \[20 ILCS 2905\]](#) ~~Tort Immunity Act [745~~
- 583 ~~ILCS 10]~~
- 584
- 585 OO) Illinois Act on the Aging [20 ILCS 105]
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- 587 PP) [Illinois](#) Speech-Language Pathology and Audiology Practice Act
- 588 [225 ILCS 110]
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- 590 QQ) Assisted Living and Shared Housing Act [210 ILCS 9]
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- 592 RR) Alternative Health Care Delivery Act [210 ILCS 3]
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- 594 SS) Podiatric Medical Practice Act of 1987 [225 ILCS 100]
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- 596 TT) Illinois Optometric Practice Act of 1987 [225 ILCS 80]
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- 598 UU) Physician Assistant Practice Act of 1987 [225 ILCS 95]
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- 600 VV) Language Assistance Services Act [210 ILCS 87]
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- 602 [WW\) ID/DD Community Care Act \[210 ILCS 47\]](#)

- 3) State of Illinois rules, [available at:
https://ilga.gov/commission/jcar/admincode/titles.html](https://ilga.gov/commission/jcar/admincode/titles.html)
 - A) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400)
 - B) Department of Public Health
 - i) Control of Communicable Diseases Code (77 Ill. Adm. Code 690)
 - ii) Control of Sexually Transmissible ~~Infections~~~~Diseases~~ Code (77 Ill. Adm. Code 693)
 - iii) Food-~~Service Sanitation~~ Code (77 Ill. Adm. Code 750)
 - iv) Illinois Plumbing Code (77 Ill. Adm. Code 890)
 - v) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
 - vi) Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - vii) ~~Illinois~~ Water Well Construction Code (77 Ill. Adm. Code 920)
 - viii) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
 - ix) Access to Public Records of the Department of Public Health (2 Ill. Adm. Code 1127)
 - x) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
 - xi) Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)
 - xii) Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)
 - xiii) [Medically Complex for the Developmentally Disabled](#)~~Long-Term Care for Under Age 22~~ Facilities Code

(77 Ill. Adm. Code 390)

xiv) Long-Term Care Assistants and Aides Training Programs
Code (77 Ill. Adm. Code 395)

xv) Control of Tuberculosis Code (77 Ill. Adm. Code 696)

xvi) Health Care Worker Background Check Code (77 Ill. Adm.
Code 955)

xvii) Language Assistance Services Code (77 Ill. Adm. Code
940)

C) Department of Human Services, Alcoholism and Substance Abuse
Treatment and Intervention Licenses (77 Ill. Adm. Code 2060)

D) Office of the State Fire Marshal, Fire Prevention and Safety (41 Ill.
Adm. Code 100)

(Source: Amended at 47 Ill. Reg. _____, effective _____)